

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION



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STATE OF MONTANA

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DECISION MEMO

CATEGORICAL EXCLUSION

Buffalo Rapids Irrigation Project – District 1 Irrigation System Automation Improvements

January 17, 2022

Buffalo Rapids Irrigation Project – District 1

47.040579 N Lat -104.813391

Dawson County

PURPOSE AND NEED

The Buffalo Rapids Irrigation Project was constructed between 1937 and 1950, designed to divert water from the Yellowstone River for Irrigation. Within the Project there are two Districts. District 1 includes the northern 2/3 of the area and begins north of Fallon on the north side of the Yellowstone River and runs to just north of Glendive. District 1 has 14,787 acres of irrigated cropland. The project's headquarters are in Glendive, MT.

The BRIP 1 delivery system currently spills excess water within the Main Canal through a series of drains to maximize water levels without overtopping the system. This leads to significant amounts of water to be spilled at locations along the Main Canal to safeguard against canal overtopping. The proposed project would minimize excessive spills back into the Yellowstone River by implementing an automation system. Minimizing sediment laden spillway flows will improve the water quality of the river by eliminating sediment loading and deposition into the Yellowstone River.

The water delivery system for District 1 consists of a 34-mile Main Canal, 24 laterals, and 26 drains. The project will install flow monitoring equipment and system automation in the Main Canal at four different locations throughout the delivery system within Townships 14 and 15N, Range 54 and 55E. Attached is a Location Map of the Area and Site Maps for each of the 4 locations.

The project is scheduled to finish design by the first quarter of 2022 with construction of the automated devices starting late in the 1st quarter and continue through the 2nd. Project closeout is anticipated by the end of the 2nd quarter of 2022.

Explanation of the decision(s) that must be made regarding the proposed action (i.e. approve grant or loan and provide funding):

DNRC will approve the grant to provide funding for the Buffalo Rapids Irrigation project – District 1 for Irrigation System Automation Improvements.

DNRC is not required to prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) for actions that qualify for a CATEGORICAL EXCLUSION (ARM 36.17.614) or justified by a PROGRAMMATIC REVIEW; or are ACTIONS OF A SPECIAL NATURE (ARM 36.2.523(5)); or are EMERGENCIES (ARM 36.2.539). These actions are subject to review for EXTRAORDINARY CIRCUMSTANCES that would require an EA or an EIS.

ACTIONS OF SPECIAL NATURE (ARM 36.2.523)

- ☐ Administrative actions: routine, clerical or similar functions of a department, including but not limited to administrative procurement, contracts for consulting services, and personnel actions.
- ☐ Minor repairs, operations, or maintenance of existing equipment or facilities.
- ☐ Investigation and enforcement: data collection, inspection of facilities or enforcement of environmental standards.
- ☐ Ministerial actions: actions in which the agency exercises no discretion, but rather acts upon a given state of facts in a prescribed manner.
- ☐ Actions that are primarily social or economic in nature and that do not otherwise affect the human environment.

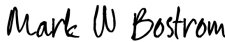
CATEGORICAL EXCLUSION/PROGRAMMATIC REVIEW

- ☒ Categorical Exclusion (CE) refers to a type of action which does not individually, collectively, or cumulatively require an EA or EIS, as determined by rulemaking or programmatic review adopted by the agency, unless extraordinary circumstances, as defined by rulemaking or programmatic review, occur. This project qualifies under ARM 36.17.614 CATEGORICAL EXCLUSIONS.
- ☐ Programmatic review means an analysis (EIS or EA) of the impacts on the quality of the human environment of related actions, programs, or policies. DNRC – CARDD does not have any programmatic reviews completed at the time of this template.

The project listed above meets the definition of Actions of a Special Nature, Categorical Exclusion or Programmatic Review including specified conditions and Extraordinary Circumstances. Included below is a supplemental checklist verifying the use of the Categorical Exclusion.

Prepared By:	Name: David Larson, PE Title: RRGL Engineer Email: dclarson@mt.gov Date: 1/18/2022
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Approved By:	Name: Mark Bostrom Title: CARD Division Administrator
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Signature:	<small>DocuSigned by:</small> 	Date: 1/21/2022 12:58:58 PM MST
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DNRC CARDD DOCUMENTATION OF CATEGORICAL EXCLUSION DETERMINATION CHECKLIST

Project Name: Buffalo Rapids Irrigation Project – District 1 Irrigation System
Automation Improvements

Brief Description: The proposed project would minimize excessive spills back into the Yellowstone River by implementing an automation system.

Agreement Number: RRG-22-1826A

Date: 1/21/2022

Preparer: Demi Blythe – MEPA/NEPA Coordinator

The Department of Natural Resources and Conservation action under 36.17.614, is excluded from the requirement to prepare an environmental assessment (EA) or environmental impact statement (EIS) if the application for department review is for any of the following projects:

(a) Projects relating to existing infrastructure systems such as sewer and septic systems, drinking water supply systems, and stormwater systems, including combined sewer overflow systems, dams, culverts, headgates, canal lining, siphons, pipelines, pump sites, lift stations, irrigation infrastructure, that involve:

[Answer yes or no. If all answers "no", an EA or EIS must be completed. If any answer is yes, skip to (b).]

1. Yes - Minor upgrading; or
2. No - Minor expansion of system capacity; or
3. Yes - Rehabilitation (including functional replacement) of the existing system and system components; or
4. No - Construction of new minor ancillary facilities adjacent to or on the same property as existing facilities; or
5. No - Projects in unsewered communities involving the replacement of existing on-site systems, provided that the new on-site systems do not result in substantial increases in the volume of discharges or in loadings of pollutants from existing sources, and do not relocate existing discharges; or
6. No - Use of sampling and monitoring wells to test for the presence of contaminants such as, but not limited to, metals and petroleum; or
7. No - Activities that do not involve or lead directly to construction, such as planning studies, scientific research and analysis, surveys, or engineering.

(b) A categorical exclusion may NOT be granted for a department action if:

[Answer yes or no. If all answers "no", skip to (c). If any answer is yes, an EA or EIS must be completed.]

1. No - The action would authorize facilities that will provide a new discharge or relocate an existing discharge to ground or surface waters;
2. No - The action would result in an increase above permit levels established for the facility under the Montana pollutant discharge elimination system or Montana ground water pollution control system for either volume of discharge or loading rate of pollutants to receiving waters;
3. No - The action would authorize facilities that will provide capacity to serve a population at least 30% greater than the existing population;
4. No - The action is not supported by the state, or other regional growth plan or strategy;
5. No - The action directly or indirectly involves or relates to upgrading or extending infrastructure systems primarily for the purposes of future development;
6. No - The department has received information indicating that public controversy exists over the project's potential effects on the quality of the human environment;
7. No - The department determines that the proposed project that is the subject of the state action shows some potential for causing a significant effect on the quality of the human environment, based on ARM 36.2.524, or might possibly affect:
 - (i) sensitive environmental or cultural resource areas; or
 - (ii) endangered or threatened species and their critical habitats.

(c) If the proposed project meets the conditions above in determining use of a CATEX, the

reviewer will then complete items below as follows:

[Once all steps are complete, reviewer shall sign and date at bottom. If revocation becomes necessary, reviewer shall initiate an EA or EIS as appropriate.]

1. Yes - Project meets the above Categorical Exclusion criteria.
2. Yes - DNRC determination of Categorical Exclusion.
3. Yes - DNRC distributes the Notice of Determination.

4. Yes - Notice of Publication and cover letter (containing revocation language below) is delivered to recipient.
5. No - Notice of Publication published in local newspaper by recipient and evidence of publication provided to reviewer.

(d) The department may revoke a categorical exclusion if:

[Only complete the steps below if revocation of a previously implemented CATEX becomes necessary.]

1. Choose an item. - The project is not initiated within the time period specified in the facility plan, or a new or modified application is submitted;
2. Choose an item. - The proposed action no longer meets the requirements for a categorical exclusion because of changes in the proposed action;
3. Choose an item. - New evidence demonstrates that serious local or environmental issues exist; or
4. Choose an item. - State, local, tribal, or federal laws may be violated.

Demi Blythe

DNRC CARD Division STATE PREPARER

Mark Bostrom - Administrator

DNRC CARD Division STATE REVIEWER

DocuSigned by:

Mark W Bostrom

1/21/2022 | 12:58:58 PM MST

1/21/2022

COMPLETION DATE

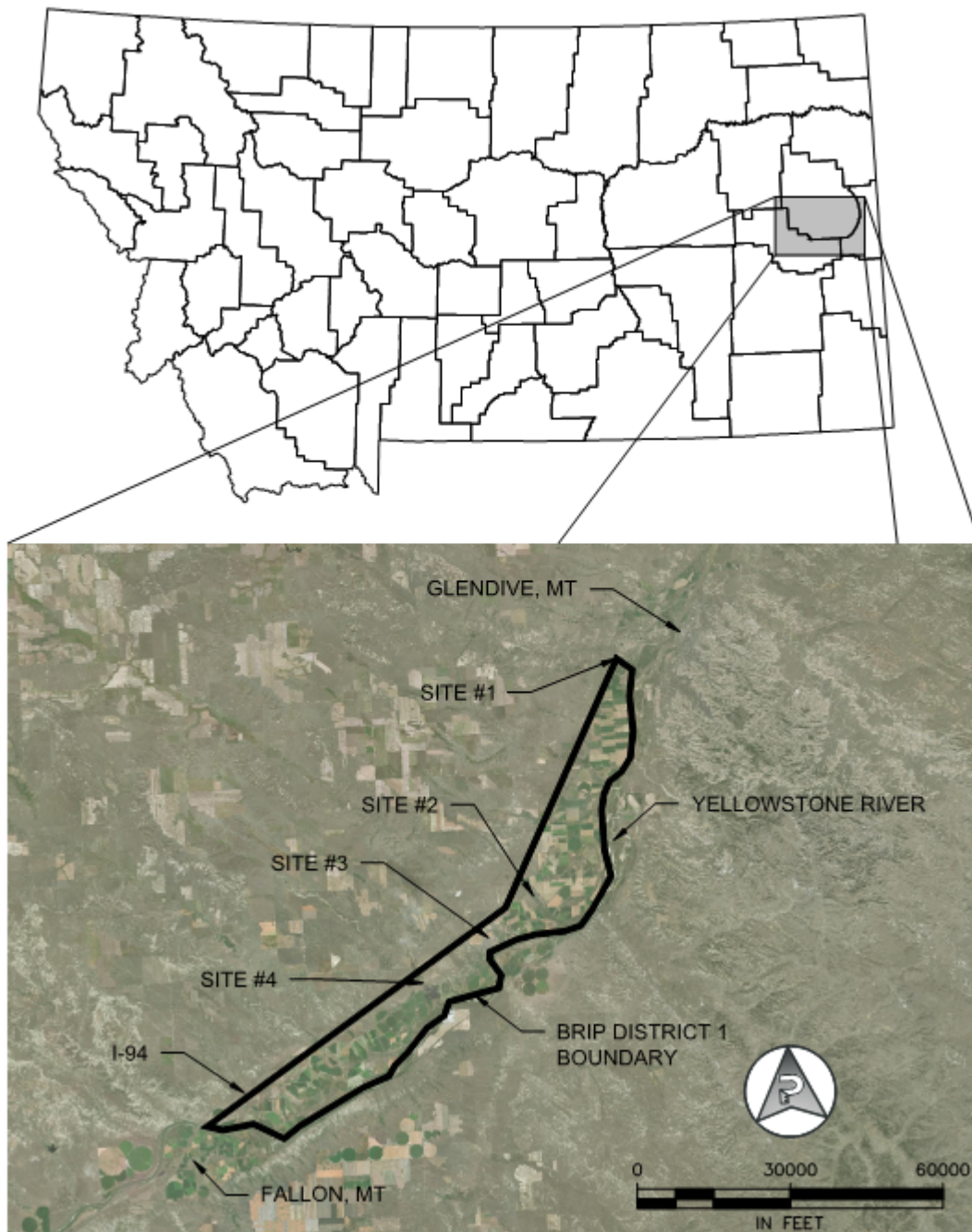


Figure 1: General Location Map



U.S. Fish and Wildlife Service

National Wetlands Inventory

BRIP1 - Site#1



April 27, 2020

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



U.S. Fish and Wildlife Service

National Wetlands Inventory

BRIP1 - Site#2



April 27, 2020

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

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U.S. Fish and Wildlife Service

National Wetlands Inventory

BRIP1 - Site#3



April 27, 2020

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

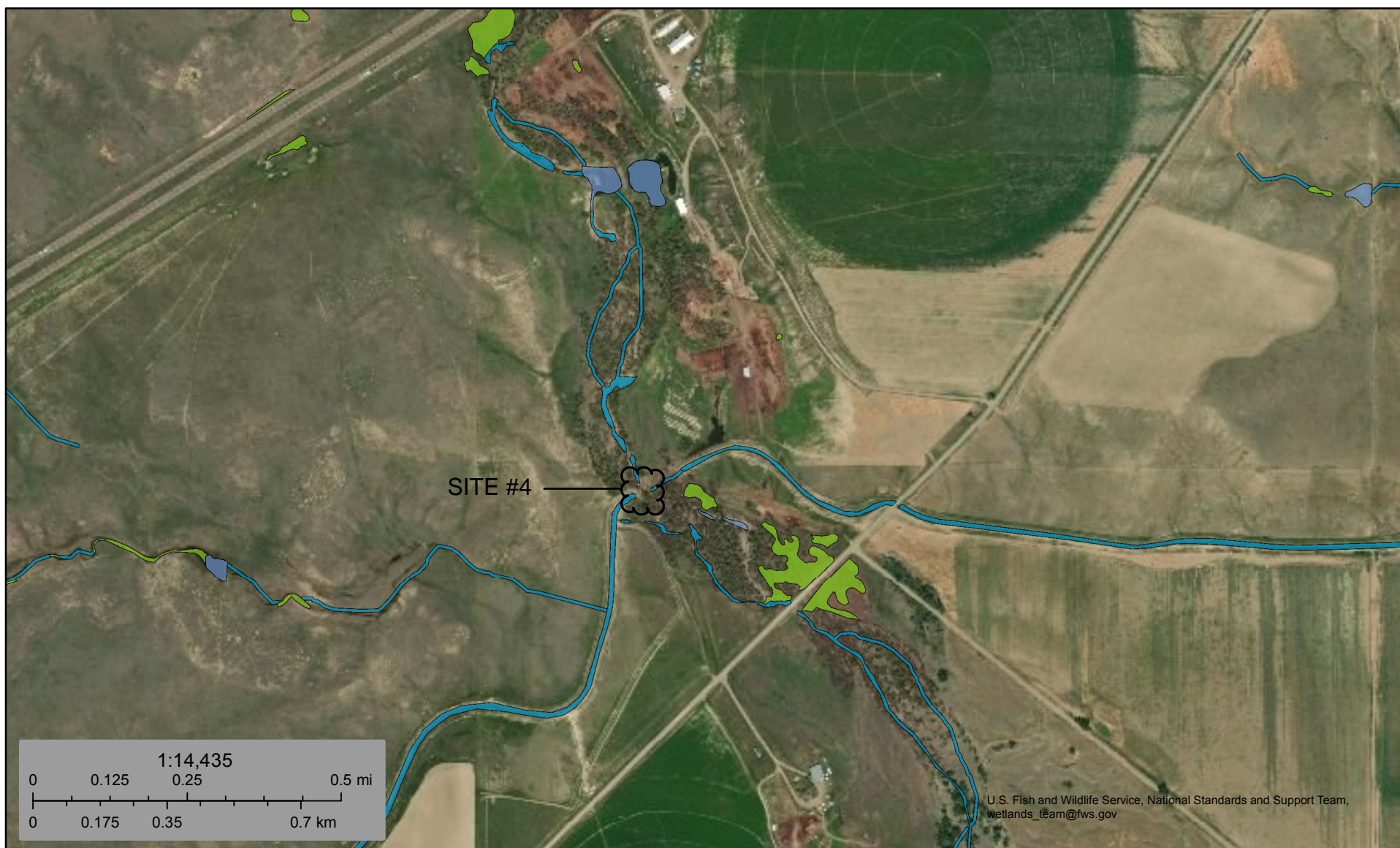
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U.S. Fish and Wildlife Service

National Wetlands Inventory

BRIP1 - Site#4



April 27, 2020

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

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